

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

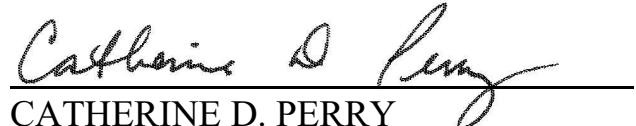
DAVID O. RUCKER, et al.,)
)
Plaintiffs,)
)
vs.) Case No. 4:09CV670 CDP
)
US FIDELIS, INC., et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before me on plaintiffs' motion for an expedited scheduling conference. Plaintiffs request a Rule 16 conference as soon as practicable due to concerns about preserving evidence. Defendants object to the request, arguing that plaintiffs' concerns about evidence preservation are unfounded. Defendants also point to their recent filing of a motion to dismiss as an additional reason to deny the motion. Although a motion to dismiss the amended complaint has just been filed, the Court expects to rule on the motion promptly once it is fully briefed and does not find the pending motion a reason to delay the Rule 16 conference. Moreover, the Court believes that it is beneficial to the parties to set this case for a scheduling conference sooner rather than later, whether or not plaintiffs' concerns about evidence preservation are well founded.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs' motion to expedite the Rule 16 conference [#18] is granted, and a scheduling conference will be set in this matter by separate Order.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 9th day of July, 2009.